Appl. No. 09/783,407
Amdt. dated October 20, 2004
Reply to Office action of August 6, 2004

Microsoft No. 190485.01

Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims

1.   (canceled)

2.   (canceled)

3.   (currently amended) ~~The method of claim 1,~~ A method of transferring a set of data over a network, the method comprising:

monitoring the level of actual network bandwidth utilization;

identifying a maximum monitored level of actual utilization;

calculating a block size to transfer as a function of the maximum monitored level of utilization, wherein said block size is adjusted according to said maximum level of actual utilization, the method comprising bounding said block size between a maximum threshold value and a minimum threshold value[.]; and

receiving said block size portion of the set of data over the network at one or more intervals.

4.   (original) The method of claim 3 wherein said maximum threshold is a function of available memory in the receiving device, and wherein said minimum threshold is determined based on network packet header size.

5-6.   (canceled)

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7.   (currently amended) ~~The method of claim 5, further comprising:~~ A method of transferring a set of data over a network, the method comprising:

monitoring the level of actual network bandwidth utilization;

identifying a maximum monitored level of actual utilization;

calculating a block size to transfer as a function of the maximum monitored level of utilization;

receiving said block size portion of the set of data over the network at one or more intervals;

increasing the size of the intervals when said block size is below a minimum threshold; and

decreasing the size of the intervals when said block size exceeds a maximum threshold.

8-15.   (canceled)

16.   (currently amended) A computer-readable medium having stored thereon one or more data structures, comprising:

a first data field containing data representing a timestamp of when the level of actual network bandwidth utilization was monitored; and

a second data field containing data representing a quantity of data that had passed through the network interface at ~~the~~ a time corresponding to said time stamp.

17.   (currently amended) The computer-readable medium of claim 16, wherein network ~~utilizationis~~ utilization is calculated based on the difference in values between a first data structure and a second data structure.

18.   (original) The computer-readable medium of claim 16, wherein the actual network bandwidth utilization is monitored at an interface between a client machine and the network.

19-22. (canceled)

23.   (currently amended) ~~The method of claim 21~~ A method of refining network utilization determination and download data block sizes in the transfer of a set of data over a network comprising:

obtaining a network utilization rate at a plurality of intervals;

computing an average of said network utilization rates, wherein said computed average is weighted by allocating a higher ratio to the more recently obtained network utilization rate[.]; and

computing a block size of data to transfer during said intervals as a function of said average.

24.   (currently amended) ~~The method of claim 21~~ A method of refining network utilization determination and download data block sizes in the transfer of a set of data over a network comprising:

obtaining a network utilization rate at a plurality of intervals;

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computing an average of said network utilization rates; and

computing a block size of data to transfer during said intervals as a function of said average, wherein said block size is directly proportional to the product of said average, the size of said interval and network availability.

25.   (currently amended) ~~The method of claim 21~~ A method of refining network utilization determination and download data block sizes in the transfer of a set of data over a network comprising:

obtaining a network utilization rate at a plurality of intervals;

computing an average of said network utilization rates; and

computing a block size of the data to transfer during said intervals as a function of said average, wherein said intervals have a size that is adjusted based on said computed block size.

26-28. (canceled)

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